

October 16, 2009

## State courts danger on public defense

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Michigan is traveling down a dangerous road with our public defense system, the process for upholding the constitutionally mandated right to counsel -- providing adults and children with an attorney if they cannot afford one. The warning signs are everywhere.

First, there was the statewide report issued last year by a panel of national experts that cited Michigan's public defense system as one of America's worst. Michigan provides no funding for trial-level defense services. The state sets no standards for attorneys working in the system. And, as the epitome of government inefficiency, we allow each of our 83 counties to provide defense services differently.

Michigan passed its second big warning sign this spring when Congress convened a hearing to focus on Michigan's failing public defense system, and Michigan's alone. Normally, it is a point of pride to testify before Congress. Not this time.

Then, in July, the Third Circuit Court in Wayne County abruptly ended its contract with the Legal Aid and Defender Association to provide defense services for children facing delinquency charges. The move was just another example of how Michigan's county-based public defense system fails residents and treats constitutional rights like nothing more than a line item in an annual budget.

And in August the Lyndon B. Johnson School of Public Affairs at the University of Texas at Austin released a report about young children tried and sentenced in the adult criminal justice system that identified Michigan as one of four states providing the worst outcomes for pre-adolescent offenders.

I have spent my career working with children and representing them in court. I have seen firsthand how an attentive and well-trained defense attorney acting on the warning signs with kids facing delinquency charges can change the course of a young person's life for the better.

Michigan is failing to meet its constitutional responsibilities. If the state doesn't find a new way supported by state funding and built on nationally recognized standards, it faces the continued waste of tax dollars, mistakes that sometimes put the wrong person behind bars and missed opportunities to put children facing delinquency charges on a better path.

All the warning signs are there, Michigan. We keep passing them, and it's time for state legislators to work together with leading experts and community members to find a better way.

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